

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

RAJYA SABHA

UNSTARRED QUESTION NO. 4109

TO BE ANSWERED ON THURSDAY, THE 7th APRIL, 2022.

Permitted Language for the functioning of State High Courts

4109. SHRI VIVEK K. TANKHA:

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether Government is aware that counsels/litigants are not allowed to present their case in the language of State in that particular State High Court;
- (b) whether Government agrees with the fact that Regional language is a necessary component in the functioning of its respective High Court; and
- (c) if not, the details of the proposed solution to address such problems?

ANSWER

MINISTER FOR LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (c): Article 348(2) of the Constitution of India states that the Governor of a State may, with the previous consent of the President, authorize the use of the Hindi language, or any other language used for any official purpose of the State, in proceedings in the High Court having its principal seat in that State.

Section 7 of the Official Languages Act, 1963 states that the Governor of a State may, with the previous consent of the President, authorize the use of Hindi or the official language of the State, in addition to the English language, for the purposes of any judgment, decree or order passed or made by the High Court for that State and where any judgment, decree or order is passed or made in any such language (other than the English language), it shall be accompanied by a translation of the same in the English language issued under the authority of the High Court.

The Cabinet Committee's decision dated 21.05.1965 has stipulated that consent of the Hon'ble Chief Justice of India be obtained on any proposal relating to use of a language other than English in the High Courts.

The use of Hindi in proceedings in the High Court of Rajasthan was authorized under Article 348(2) of the Constitution in 1950. After the Cabinet Committee's decision dated 21.05.1965 as mentioned above, the use of Hindi was authorized in the High Courts of Uttar Pradesh (1969), Madhya Pradesh (1971) and Bihar (1972) in consultation with the Chief Justice of India.
